

1-1 By: Carona S.B. No. 383
1-2 (In the Senate - Filed February 5, 2013; February 13, 2013,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 February 27, 2013, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; February 27, 2013, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the repeal of certain provisions governing the sale and
1-20 use of certain refrigerants.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 1302.059, Occupations Code, is amended
1-23 to read as follows:

1-24 Sec. 1302.059. MOTOR VEHICLES. This chapter does not apply
1-25 to a person who engages in or employs a person who engages in air
1-26 conditioning services only on a motor vehicle or an MVAC-like
1-27 appliance as defined by 40 C.F.R. Section 82.152 [~~air conditioner~~].

1-28 SECTION 2. Subsection (a), Section 1302.453, Occupations
1-29 Code, is amended to read as follows:

1-30 (a) A person commits an offense if the person:

1-31 (1) knowingly engages in air conditioning and
1-32 refrigeration contracting without holding a license issued under
1-33 this chapter; or

1-34 (2) knowingly engages in air conditioning and
1-35 refrigeration maintenance work without holding a contractor
1-36 license or technician registration issued under this chapter[~~, or~~

1-37 [~~(3) purchases a refrigerant or equipment containing a~~
1-38 ~~refrigerant in this state in violation of Section 1302.353,~~
1-39 ~~1302.355, or 1302.356].~~

1-40 SECTION 3. The following provisions of the Occupations Code
1-41 are repealed:

1-42 (1) Subdivisions (13) and (16), Section 1302.002;

1-43 (2) Section 1302.051;

1-44 (3) Subsection (b), Section 1302.452;

1-45 (4) Subsection (b), Section 1302.453; and

1-46 (5) Subchapter H, Chapter 1302.

1-47 SECTION 4. Not later than May 1, 2014, the Texas Commission
1-48 of Licensing and Regulation shall adopt rules necessary to
1-49 implement the changes in law made by this Act to Chapter 1302,
1-50 Occupations Code.

1-51 SECTION 5. The repeal by this Act of Subchapter H, Chapter
1-52 1302, Occupations Code, and the amendment of Section 1302.453,
1-53 Occupations Code, do not apply to an offense committed under those
1-54 laws before the effective date of this Act. An offense committed
1-55 before the effective date of this Act is governed by those laws as
1-56 they existed on the date the offense was committed, and the former
1-57 law is continued in effect for that purpose. For purposes of this
1-58 section, an offense was committed before the effective date of this
1-59 Act if any element of the offense occurred before that date.

1-60 SECTION 6. This Act takes effect immediately if it receives
1-61 a vote of two-thirds of all the members elected to each house, as

2-1 provided by Section 39, Article III, Texas Constitution. If this
2-2 Act does not receive the vote necessary for immediate effect, this
2-3 Act takes effect September 1, 2013.

2-4 * * * * *